

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

IN RE: DERRICK MAURICE BURNETT, SR.,	{	CHAPTER 13
	{	
	{	
DEBTOR(S)	{	CASE NO. R17-40730-MGD
	{	
	{	JUDGE DIEHL

OBJECTION TO CONFIRMATION

COMES NOW MARY IDA TOWNSON, TRUSTEE herein, and objects to Confirmation of the plan for the following reasons:

1. The Debtor(s)' payments under the proposed plan are not current.
2. Pursuant to the proposed plan, the Debtor has a domestic support obligation. Prior to confirmation the Debtor must provide to the Trustee evidence that all payments that have come due since the filing of the petition have been maintained. 11 U.S.C. Section 1325(a)(8).
3. The Debtor's Schedule I reflects a contribution from the Debtor's family of \$2,400.00 per month. The trustee requests documentation regarding this contribution. If the contribution is from rental income, the trustee requests documentation such as a copy of the written lease. 11 U.S.C. Section 1325(a)(6).
4. The payout of the claim owed to the Paulding County Child Support Services will extend beyond sixty (60) months, contrary to 11 U.S.C. Section 1322(d).
5. Pursuant to information received from the Meeting of Creditors, 2016 state and federal tax return(s) have not been provided to the taxing authorities; thereby, preventing the Chapter 13 Trustee from evaluating the feasibility of the Chapter 13 plan, in violation of 11 U.S.C. Section 1322(d) and 1325(a)(6).
6. The Debtor has failed to file tax returns with the tax authorities for the four (4) year period prior to filing in violation of 11 U.S.C. Section 1308.

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7. The Debtor(s) has failed to fund post-petition child support installments; thereby possibly rendering the proposed Chapter 13 Plan infeasible, in violation of 11 U.S.C. Section 1325(a)(6).

8. The funding of post-petition mortgage payments has not been maintained in the above-styled Chapter 13 case; thereby, rendering the present budget and proposed Plan infeasible, 11 U.S.C. Section 1325(a)(6).

WHEREFORE, the Trustee moves the Court to inquire into the above objections, deny Confirmation of this Debtor's (s') Plan and to dismiss the case; or, in the alternative, convert the case to one under Chapter 7.

_____/s/_____
Albert C. Guthrie, Attorney
for Chapter 13 Trustee
GA Bar No. 142399

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CERTIFICATE OF SERVICE

This is to certify that I have this day served

DEBTOR(S):

DERRICK MAURICE BURNETT, SR.
70 BROOKVALLEY CMNS
DALLAS, GA 30157

ATTORNEY FOR DEBTOR(S):

THE SEMRAD LAW FIRM, LLC
STERLING POINT II
SUITE 201
303 PERIMETER CENTER NORTH
ATLANTA, GA 30346

in the foregoing matter with a copy of this pleading by
depositing in the United States Mail a copy of same in a
properly addressed envelope with adequate postage thereon.

This 27th day of April 2017

_____/s/_____
Albert C. Guthrie, Attorney
for Chapter 13 Trustee
GA Bar No. 142399

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